

## §0.182

(i) To perform such other duties and assume such other responsibilities related to the Commission's defense activities as may be necessary for the continuity of functions and the protection of Commission personnel and property.

[29 FR 14664, Oct. 28, 1964, as amended at 41 FR 31209, July 27, 1976]

### **§0.182 Chief, Compliance and Information Bureau.**

(a) Recommends national emergency plans and preparedness programs covering: Provision of service by common carriers, broadcasting facilities, and the safety and special radio services; radio frequency assignment; electromagnetic radiation; investigation and enforcement.

(b) Acts as Alternate Defense Coordinator in representations with other agencies with respect to planning for the continuity of the essential functions of the Commission under national emergency conditions.

(c) Serves as the alternate representative of the Commission to the Interagency Emergency Planning Committee of the Federal Preparedness Agency/General Services Administration; serves as the alternate representative of the Commission to the Interagency Civil Defense Committee of the Defense Civil Preparedness Agency of the Department of Defense.

(d) Provides administrative support for the National Advisory Committee (NAC).

(e) Keeps the Defense Commissioner informed as to significant developments in the field of emergency preparedness and related defense activities.

[41 FR 31209, July 27, 1976, as amended at 50 FR 27953, July 9, 1985; 59 FR 26971, May 25, 1994; 59 FR 67092, Dec. 28, 1994]

### **§0.183 Emergency Communications Administration.**

The Compliance and Information Bureau coordinates the National Security and Emergency Preparedness (NSEP) activities of the Federal Communications Commission including Continuity of Government Planning, the Emergency Alert System (EAS) and other functions as may be delegated during a national emergency or activation of

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the President's war emergency powers as specified in section 706 of the Communications Act; maintains liaison with FCC Bureaus/Offices, and other government agencies, the telecommunications industry and FCC licensees on NSEP matters; and, as requested, represents the Commission at NSEP meetings and conferences.

[59 FR 67092, Dec. 28, 1994]

### **§0.185 Responsibilities of the bureaus and staff offices.**

The head of each of the bureaus and staff offices, in rendering assistance to the Chief, Compliance and Information Bureau in the performance of that person's duties with respect to defense activities will have the following duties and responsibilities:

(a) To keep the Chief, Compliance and Information Bureau informed of the investigation, progress, and completion of programs, plans, or activities with respect to defense in which they are engaged or have been requested to engage.

(b) To render assistance and advice to the Chief, Compliance and Information Bureau on matters which relate to the functions of their respective bureaus or staff offices.

(c) To render such assistance and advice to other agencies as may be consistent with the functions of their respective bureaus or staff offices and the Commission's policy with respect thereto.

(d) To perform such other duties related to the Commission's defense activities as may be assigned to them by the Commission.

[29 FR 14665, Oct. 28, 1964, as amended at 50 FR 27953, July 9, 1985; 59 FR 26971, May 25, 1994; 61 FR 8477, Mar. 5, 1996]

### **§0.186 Emergency Relocation Board.**

(a) As specified in the Commission's Continuity of Government Plan and consistent with the exercise of the War Emergency Powers of the President as set forth in section 706 of the Communications Act of 1934, as amended, an Emergency Relocation Board will be convened at the Commission's Headquarters or other relocation site designated to serve as Primary FCC Staff

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to perform the functions of the Commission following the announcement of national level mobilization of the Federal government by the President or other designated authority; in the absence of such announcement, immediately following receipt of an attack warning signal; or in the absence of either announcement or attack warning, immediately following an actual attack.

(b) The Board shall comprise such Commissioners as may be present and able to act. In the absence of the Chairman, the Commissioner present with the longest seniority in office will serve as acting Chairman. If no Commissioner is present and able to act, the person designated as next most senior official in the Commission's Continuity of Government Plan will head the Board.

[53 FR 29055, Aug. 2, 1988]

### Subpart B—Delegations of Authority

AUTHORITY: Sec. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155.

EDITORIAL NOTE: Nomenclature changes to subpart B appear at 37 FR 19372, Sept. 20, 1972.

#### GENERAL

#### § 0.201 General provisions.

(a) There are three basic categories of delegations made by the Commission pursuant to section 5(d) of the Communications Act of 1934, as amended:

(1) *Delegations to act in non-hearing matters and proceedings.* The great bulk of delegations in this category are made to bureau chiefs and other members of the Commission's staff. This category also includes delegations to individual commissioners and to boards or committees of commissioners.

(2) *Delegations to rule on interlocutory matters in hearing proceedings.* Delegations in this category are made to the Review Board and to the Chief Administrative Law Judge.

NOTE: Interlocutory matters which are delegated neither to the Review Board nor to the Chief Administrative Law Judge are ruled on by the presiding officer by virtue of the authority vested in him to control the

course and conduct of the hearing. This authority stems from section 7 of the Administrative Procedure Act and section 409 of the Communications Act rather than from delegations of authority made pursuant to section 5(d) of the Communications Act. (See §§ 0.218 and 0.341.)

(3) *Delegations to review an initial decision.* Delegations in this category are made to individual commissioners, to panels of commissioners or to the Review Board.

(b) Delegations are arranged in this subpart under headings denoting the person, panel, or board to whom authority has been delegated, rather than by the categories listed in paragraph (a) of this section.

(c) Procedures pertaining to the filing and disposition of interlocutory pleadings in hearing proceedings are set forth in §§ 1.291 through 1.298 of this chapter. Procedures pertaining to appeals from rulings of the presiding officer are set forth in § 1.301. Procedures pertaining to reconsideration of the presiding officer's rulings are set forth in § 1.303. Procedures pertaining to reconsideration and review of actions taken pursuant to delegated authority are set forth in §§ 1.101, 1.102, 1.104, 1.106, 1.113, 1.115, and 1.117. Procedures pertaining to exceptions to initial decisions are set forth in §§ 1.276–1.279.

(d) The Commission, by vote of a majority of the members then holding office, may delegate its functions either by rule or by order, and may at any time amend, modify, or rescind any such rule or order.

(1) Functions of a continuing or recurring nature are delegated by rule. The rule is published in the FEDERAL REGISTER and is included in this subpart.

(2) Functions pertaining to a particular matter or proceeding are delegated by order. The order is published in the FEDERAL REGISTER and associated with the record of that matter or proceeding, but neither the order nor any reference to the delegation made thereby is included in this subpart.

[28 FR 12402, Nov. 22, 1963, as amended at 50 FR 26567, June 27, 1985]